

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 1-4, 6-8, 10, 12-18, and 21-23 are pending in the application. Claims 5 and 9 have been presently cancelled without prejudice or disclaimer. Claims 1, 6, 10, 12, 13, and 21 have been presently amended. No new matter is presented.

In the Office Action, Claims 1-10, 12-18, and 21-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Marumo et al. (U.S. Patent Publication No. 2003/0000458, hereinafter, “Marumo”) in view of Ju et al. (KR Patent Publication 2007-0020879, hereinafter, “Ju”).

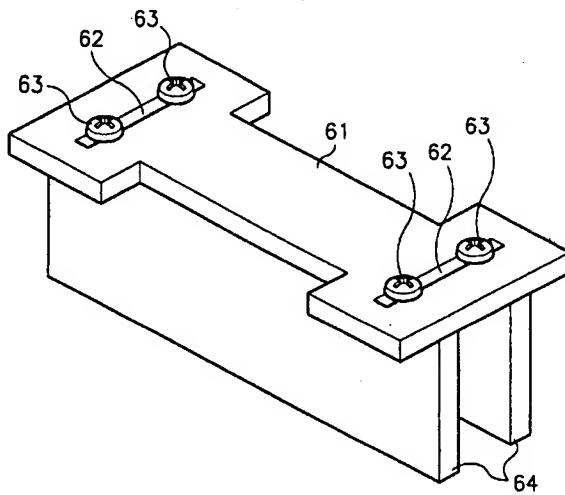
Claim 1 has been amended along lines discussed with the Examiner and agreed to. Accordingly, it is presently believed that device Claim 1 and independent method Claims 13 and 21 define features patentable over the art.

The final Office Action relies on Marumo for teaching a quartz member and a method for metal analysis using the quartz member, and acknowledges that Marumo fails to disclose the configuration of the examination assistant device recited in the claims. The Office Action then relies on Ju for teaching the configuration of an examination assistant device.

Claim 1 recites the combination of an examination assistant device and a part of a quartz product of a semiconductor processing apparatus, in which the examination assistant device includes:

a pair of end plates configured to engage with the pair of concave portions;
style="padding-left: 40px;">a frame connecting the pair of end plates; and
style="padding-left: 40px;">*a solution receiver* disposed between the pair of end plates, the solution receiver *having dimensions* for storing *the process solution in a predetermined amount to hold the process solution in contact with the examination objective portion* to etch the examination objective portion.

Ju describes a defect check tool that checks for warp and deformation of slot bars of semiconductor wafer boats to prevent damage to wafers. The tool of Ju has no solution receiver. The tool of Ju has nothing to do with an examination assistant device for identifying metal impurities in a quartz product. Reproduced below is the defect check tool of Ju.



In view of the configuration of the defect check tool of Ju, the examiner will appreciate that the defect check tool of Ju can not hold a solution therein, as it has no enclosed volume which can hold a predetermined amount of solution. The examiner advances the position that “a surface which retains even a minute amount of solution . . . would contact any device resting on that surface.” Yet, this reading of the claimed “process solution in a predetermined amount ” to be a minute amount of solution retained by the walls of Ju is not consistent Applicants’ specification and is inconsistent with the interpretation that those skilled in the art would reach.

M.P.E.P. § 2111 states:

During patent examination, the pending claims must be "given their broadest reasonable interpretation consistent with the specification."

The broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach.

Applicants' specification never discloses a solution receiver to hold a minute quantity. Rather, Applicants' specification at page 17 makes clear that the "amount 11 of the process solution is set at a value of, e.g., 05. mL to 40 mL, with which the examination objective portion (a portion of the supporting strut 21 including grooves 22) can be immersed in the process solution in the solution receiver 31."

Moreover, even if a minute quantity were held, the examiner will appreciate that, to a person skilled in the art, this minute amount (i.e., an amount retained on the walls of the open ended enclosure of Ju) would by definition of its "retention" not be an amount which could be transferred to an analyzer which analyzes the process solution, as described in the specification.

Hence, the examiner's interpretation of Applicants' claimed "process solution in a predetermined amount" to be a minute amount retained on the walls of the open ended enclosure of Ju is 1) inconsistent with the specification and 2) inconsistent with an interpretation that those skilled in the art would reach.

Accordingly, a combination of Marumo and Ju does not fairly teach or suggest a structure for holding a predetermined amount of process solution in contact with the examination objective portion to etch the examination objective portion (as in independent Claim 1) and further would not be able to use a minute amount of the process solution in an analyzer to identify a metal impurity contained in the examination objective portion (as in independent method Claims 13 and 21) because the retained minute amount would not be transferable to the analyzer.

Therefore, a combination of Marumo and Ju (if combined) would not meet all of the features recited in independent Claims 1, 13, and 21.

For all of these reasons, the art rejections should be removed, and the pending claims passed to allowance.

Conclusion: In view of the present amendment, the pending claims are believed to be in condition for allowance. An early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

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